

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alastair Dent

Application No.: 10/526,258

Confirmation No.: 7061

Filed On: September 12, 2005

Office: James Pilkington

Art Unit: 3656

For: Robot Head Comprising Spindle Drive

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSIGNEE'S DECLARATION PURSUANT TO 37 C.F.R. § 1.131**

Stanmore Implants Worldwide Limited, assignee of the above-identified U.S. Patent Application and successor to original assignee The Acrobot Company Limited, hereby declares as follows:

1. The undersigned is an employee of the present assignee and former employee of the predecessor assignee and is authorized to act on its behalf.
2. All of the activities set forth in this declaration occurred in the United Kingdom ("UK").
3. Alastair Dent is the named sole inventor in the above-captioned application. The present application was filed under 35 U.S.C. § 371 as a national phase application of PCT Application No. PCT/GB03/03354 filed on August 1, 2003, which claimed priority from UK Application No. GB0220460.0 filed on September 3, 2002 ("the UK priority application").
4. To the extent that Mr. Dent's Declaration does not demonstrate an actual reduction to practice, from a time prior to August 8, 2002, and continuing until no later than September 3, 2002, the inventor with aid from the predecessor assignee diligently attempted to reduce the invention to practice by, among other things:
  - (a) reviewing the invention with the predecessor assignee (see Exhibits A and B);
  - (b) engaging an attorney to prepare a patent application covering the invention (see Exhibit C);
  - (c) receiving at least one draft of the patent application (see Exhibit D);

(d) reviewing and commenting on at least one draft of the patent application covering the claimed invention (see Exhibit E); and

(e) filing the priority application in the UK on September 3, 2002, demonstrating at the very least a constructive reduction to practice.

5. Although some of the dates in the exhibits have been expurgated, the expurgated dates of Exhibits A and B are prior to August 8, 2002.

I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Gracme Brookes  
Gracme Brookes

7th January 2011  
Date

On behalf of the assignee Stanmore Implants Worldwide Limited

# EXHIBIT A

REDACTED

-----Original Message-----

From: AlastairDent@cs.com [mailto:AlastairDent@cs.com]

Sent: REDACTED

To: p.gomes@ic.ac.uk

Subject: Acrobat

Paula/

Attached one pic. showing assembly of Acrobot horizontal axis screw etc.  
Had some hiatus with main bearings but now all OK.

I've spoken to David today with a view to bringing assembly so far down to you early next week. Dates discussed were Mon. Tues. or Wed. I can't do [REDACTED], but either of the other two OK. You'll get to see it in whatever state it is in at that point!

So far as cables are concerned, I will investigate recommended type for servos.  
Encoder read heads come with their own cable.

Cable to force sensor will require 8 cores: Supply and ground (100mA) + 6 individual channels each carrying 0-5V output analogue. There is no 'box' required between the sensor and the A/D card; but the computer has to apply the transformation matrix to the 6-channel data to resolve it into the 6-axis information.

More news as it arises.

Regards,

Alastair Dent



## EXHIBIT B

REDACTED

-----Original Message-----

From: AlastairDent@aol.com [mailto:AlastairDent@aol.com]

Sent: REDACTED

To: p.gomes@ic.ac.uk

Subject: Acrobat Picture

Dear Paula,

I hope you are having an interesting time in US. England today is a depressed place of course!

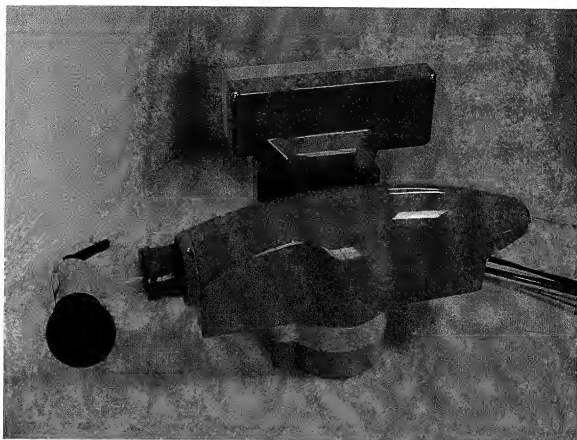
I attach a JPEG file for you. It's not a studio shot, but I hope you will find it useful in any discussions you may have.

See you next week.

Regards,

Alastair





## EXHIBIT C

-----Original Message-----

From: Prof Brian Davies [mailto:b.davies@ic.ac.uk]

Sent: 23 April 2002 18:09

To: Michael Maggs

Cc: david.sarphie@acrobot.co.uk

Subject: RE: Acrobot

Dear Michael,

We have a new design of Acrobot Head mechanism we would like to patent. Would it be possible to discuss with you at IC? Would Friday 26th

April at, say 11.00 or 16.00 be suitable in room 741?

Best wishes

Brian

## EXHIBIT D

# Kilburn & Strode

European Patent Attorneys  
Chartered Patent Attorneys  
Trade Mark Attorneys

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Professor B Davies  
The Acrobot Company Limited  
Imperial College of Science, Technology & Medicine  
Department of Mechanical Engineering Mechatronics in Medicine Group  
Exhibition Road  
London  
SW7 2BX

Our Ref: P33852GB/MNM  
Your Ref: Head for surgical robot

12 July 2002

Dear Brian

**New UK Patent Application**  
**In the name of The Acrobot Company Limited**

**Subject: Head for surgical robot**

**REDACTED** I now enclose a draft of the proposed patent application covering the new robot head. I should be grateful if you could read through this carefully, and let me know if you have any comments before I file it at the Patent Office.

**REDACTED**

Partners: R.Ashmead N.R.Jennings D.C.Rees M.N.Maggs P.Hale P.W.Chapman J.L.W.Miller  
Kristina V.J.Comish G.V.Roberts T.Z.Gold N.J.Hodley N.C.Basill N.J.Lee Carrolanne H.A.Lindley  
Associates: T.G.Copsey T.J.Ford Juliet J.G.Hibbert Anna E.Reve  
Consultants: A.G.Sheard Alison C.Roberts Elizabeth M.Cratchley OBE Ann B.Addison Caroline T.Bonella  
Partnership Secretary: B.Collins Records: M.R.Jenkins Accounts: B.J.Nutchey

REDACTED

I look forward to hearing from you.

Yours sincerely

Michael N Maggs  
Kilburn & Strode  
Enc;  
direct email: [mmaggs@kstrode.co.uk](mailto:mmaggs@kstrode.co.uk)

## EXHIBIT E

IMPERIAL COLLEGE of Science Technology and Medicine  
Mechatronics in Medicine Group  
Department of Mechanical Engineering  
Exhibition Road  
London SW7 2BX  
Tel : 0207 594 7054 Fax: 0207 584 7239  
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Brian Davies, MPhil, PhD, DIC, CEng, FIMechE.  
Head of Computer Aided Systems Engineering Section  
Professor of Medical Robotics, Postgraduate Tutor.

26th July 2002

Your Ref: P33852GB/MNM

Mr M N Maggs  
Kilburn and Strode  
20 Red Lion Street  
London  
WC1R 4PJ

K + S Received	
Date:	29 JUL 2002
Entered:	
Checked:	<i>[Signature]</i>
F/E	

Dear Michael,

I enclose a number of notes on your draft-patent

REDACTED

REDACTED

Yours sincerely,

*Brian Davies*

pp Brian Davies